

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION**

**BOBBY EDWARD WALKER**

**PLAINTIFF**

**v.**

**No. 1:08CV292-B-D**

**JIM H. JOHNSON, ET AL., ET AL.**

**DEFENDANTS**

**ORDER ADOPTING  
REPORT AND RECOMMENDATION**

Upon consideration of the file and records in this action, the court finds that the Report and Recommendation of the United States Magistrate Judge dated March 9, 2009, was on that date duly served by mail upon the *pro se* plaintiff at his last known address; that more than ten days have elapsed since service of the Report and Recommendation; and that no objection to the Report and Recommendation has been filed or served by any party. The court is of the opinion that the magistrate judge's Report and Recommendation should be approved and adopted as the opinion of the court. It is, therefore **ORDERED**:

1. That the Report and Recommendation of the United States Magistrate Judge dated March 9, 2009, is hereby **APPROVED AND ADOPTED** as the opinion of the court.

2. That the plaintiff's claims against defendants Morgan, Smith, Duke, Ivy, Weeks, and the Board of Supervisors are hereby **DISMISSED** with prejudice.

3. That the plaintiff's claims of excessive force and denial of medical care against defendants Johnson, Carleton, McDaniels, Bridges, Caffin, Nolden and Hall shall proceed.

THIS, the 24<sup>th</sup> day of June, 2009.

/s/ Neal Biggers

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NEAL B. BIGGERS  
SENIOR U. S. DISTRICT JUDGE